



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE THE APPLICATION OF )

JEFFREY A. HERMAN et al. )

Serial No. 09/848,951 )

Filed: May 3, 2001 )

For: METHOD AND APPARATUS FOR )  
ANALYZING DATA )

Examiner: Unassigned

Group Art Unit: 2131

**PRELIMINARY AMENDMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Please consider the following amendments and remarks.

Applicant hereby submits the attached claim pages 18 - 24 as replacement to claim page 18 of the original application as required under 37 CFR 1.121(c)(1)(i). Applicant further submits a marked-up copy of said claim pages as required under 37 CFR 1.121(c)(1)(ii).



PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:  
HERMAN et al.

Application No.: 09/848,951

Filed: May 3, 2001

For: METHOD AND APPARATUS FOR ANALYZING  
DATA

Attorney Docket No.: SUNMP055C2

Examiner: Kendall, Chuck O.

Group Art Unit: 2122

Date: May 3, 2004

☒ Duplicate for  
fee processing

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the  
United States Postal Service as First Class Mail to: Commissioner  
for Patents, Alexandria, VA 22313-1450 on May 3, 2004.

Signed: 

Sylvia Castillo

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MAY 07 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment in the above-identified application.

The fee has been calculated as shown below.

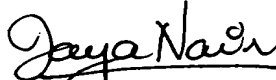
Technology Center 2100

	Claims Remaining After Amendment	Highest Previously Paid For	Present Extra	SMALL ENTITY RATE FEE	OR	LARGE ENTITY RATE FEE
TOTAL CLAIMS	27 -	27	0	X09 = \$	OR	X18 = \$
INDEP CLAIMS	03 -	03	0	X43 = \$	OR	X86 = \$
[ ] Multiple Dependent Claim Present and Fee Not Previously Paid				\$145		\$290

TOTAL \$ \_\_\_\_\_ \$0

- ☐ Applicant(s) hereby petition for a \_\_\_\_\_ month(s) extension of time to respond to the outstanding Office Action.
- ☒ Applicant(s) believe that no (additional) Extension of Time is required; however, if it is determined that such an extension is required, Applicant(s) hereby petition that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 to Deposit Account No. 50-0805.
- ☐ Enclosed is our Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the additional claim fee and/or extension of time fees.
- ☒ If the required fees are missing or any additional fees are required to facilitate filing the enclosed response, please charge such fees or credit any overpayment to Deposit Account No. 50-0805 (Order No. SUNMP055C2). A copy of this sheet is enclosed.

Respectfully submitted,  
MARTINE & PENILLA, LLP

  
Jaya Nair, Esq.

Registration No. 46,454

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Customer Number 32291



PTO/SB/17 (11-00)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ ) 126.00

## Complete if Known

Application Number 09/848,951  
Filing Date May 3, 2001  
First Named Inventor JEFFREY A. HERMAN  
Examiner Name UNASSIGNED  
Group Art Unit 2131  
Attorney Docket No. 83000.946C2/P2867C2

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MAY 07 2004

Technology Center 2100

## METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number  
Deposit Account Name

- ☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$) Code (\$)

101 710 201 355 Utility filing fee

106 320 206 160 Design filing fee

107 490 207 245 Plant filing fee

108 710 208 355 Reissue filing fee

114 150 214 75 Provisional filing fee

Fee Paid

SUBTOTAL (1) (\$ ) ---

### 2. EXTRA CLAIM FEES

Total Claims 27  
Independent Claims 3  
Multiple Dependent  
Extra Claims Fee from below Fee Paid  
-20\*\* = 7 X 18.00 = 126.00  
-3\*\* = --- X --- = ---

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$) Code (\$)

103 18 203 9 Claims in excess of 20

102 80 202 40 Independent claims in excess of 3

104 270 204 135 Multiple dependent claim, if not paid

109 80 209 40 \*\* Reissue independent claims over original patent

110 18 210 9 \*\* Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ ) 126.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$) Code (\$)

105 130 205 65 Surcharge - late filing fee or oath

127 50 227 25 Surcharge - late provisional filing fee or cover sheet

139 130 139 130 Non-English specification

147 2,520 147 2,520 For filing a request for *ex parte* reexamination

112 920\* 112 920\* Requesting publication of SIR prior to Examiner action

113 1,840\* 113 1,840\* Requesting publication of SIR after Examiner action

115 110 215 55 Extension for reply within first month

116 390 216 195 Extension for reply within second month

117 890 217 445 Extension for reply within third month

118 1,390 218 695 Extension for reply within fourth month

128 1,890 228 945 Extension for reply within fifth month

119 310 219 155 Notice of Appeal

120 310 220 155 Filing a brief in support of an appeal

121 270 221 135 Request for oral hearing

138 1,510 138 1,510 Petition to institute a public use proceeding

140 110 240 55 Petition to revive - unavoidable

141 1,240 241 620 Petition to revive - unintentional

142 1,240 242 620 Utility issue fee (or reissue)

143 440 243 220 Design issue fee

144 600 244 300 Plant issue fee

122 130 122 130 Petitions to the Commissioner

123 50 123 50 Processing fee under 37 CFR 1.17(q)

126 180 126 180 Submission of Information Disclosure Stmt

581 40 581 40 Recording each patent assignment per property (times number of properties)

146 710 246 355 Filing a submission after final rejection (37 CFR § 1.129(a))

149 710 249 355 For each additional invention to be examined (37 CFR § 1.129(b))

179 710 279 355 Request for Continued Examination (RCE)

169 900 169 900 Request for expedited examination of a design application

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) ---

## SUBMITTED BY

Name (Print/Type) Cynthia A. Casby

Registration No. (Attorney/Agent)

47,475

## Complete (if applicable)

Telephone (310) 286-0377

Signature

Date January 3, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.